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Granted.
James M.
6/5/25

June 4, 2025

BY ECF

The Honorable Denise L. Cote
United States District Judge
500 Pearl Street, Room 1910
New York, NY 10007

**Re: Skillz Platform Inc. v. Papaya Gaming, Ltd. and Papaya Gaming, Inc.,
No. 1:24-cv-01646 (S.D.N.Y.)**

Dear Judge Cote:

Pursuant to Rule 8.B of the Court's Individual Practices in Civil Cases and in accordance with the Court's Orders providing guidance on sealing (ECF Nos. 369 and 381), we write on behalf of Plaintiff Skillz Platform Inc. ("Skillz") to respectfully request to seal ECF No. 402-2, an exhibit attached to Papaya Gaming, Ltd. and Papaya Gaming, Inc.'s (collectively, "Papaya") recent Letter Motion (ECF No. 402), which Skillz's forthcoming Letter Response references.

While Skillz appreciates this Court's instruction that "there shall be a presumption that expert reports and portions of expert reports may not be redacted or filed under seal" (ECF No. 381), ECF No. 402-2 consists of discovery material exchanged among the parties that references certain of Skillz's proprietary business information which Skillz has designated Highly Confidential under the Protective Order entered by this Court (ECF No. 39). Skillz seeks to preserve, and avoid any waiver of, its rights as to the highly confidential nature of this subject matter. Sealing ECF No. 402-2 is appropriate under *Lugosch v. Pyramid Company of Onondaga*, 435 F.3d 110, 120-121 (2006), because it is not a judicial document being considered by the Court in connection with a substantive motion on the merits of the parties' claims. Accordingly, the presumption of public access should not apply to discovery material considered by the Court solely for the purpose of deciding whether it should be stricken from the record.

Thank you for Your Honor's timely consideration of this matter.

June 4, 2025

Page 2

Respectfully submitted,

/s/ Craig Carpenito

Craig Carpenito

Cc: All counsel of record (by ECF)